

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Joint Application by BellSouth Corporation,)	
BellSouth Telecommunications, Inc. and)	CC Docket No. 01-277
BellSouth Long Distance for)	
Provision of In-Region, InterLATA Services in)	
Georgia and Louisiana)	

COMMENTS OF BTI TELECOM CORP.

BTI Telecom Corp., through its subsidiary Business Telecom, Inc. ("BTI"), provides competitive local exchange service in seventeen states and the District of Columbia. BTI is authorized to provide long distance service in all 50 states and the District of Columbia. BTI hereby files its comments concerning the above-captioned Joint Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance ("BellSouth") for Provision of In-Region, InterLATA Services in Georgia and Louisiana filed October 2, 2001 ("Application") in response to the Federal Communication Commission's ("FCC") Public Notice in this proceeding.¹

BellSouth's Application for authority to provide in-region, interLATA service presents an opportunity for the FCC to expand its efforts to open telecommunications markets to competition to the BellSouth region. As discussed below, BTI believes that BellSouth has made substantial progress towards meeting the requirements of Section 271.

The filing of the BellSouth Georgia and Louisiana Application was preceded by extensive and comprehensive series of proceedings before the Georgia and Louisiana

¹ Comments Requested on the Joint Application By BellSouth Corporation for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the States of Georgia and Louisiana, Public Notice, CC Docket No. 01-277, DA 01-2286, released October 2, 2001.

Commissions that are undoubtedly related to the improvements in BellSouth's performance in many areas over the past year. As a result of the work of the Georgia Commission, local competition is beginning to take hold in parts of Georgia.

BellSouth has made improvements in its OSS and performance. If BellSouth maintains its performance in the areas discussed below, it should be able to obtain Section 271 authority in Georgia and Louisiana. Before permitting BellSouth to provide in-region interLATA services, the FCC should be certain that the anti-backsliding measures contained in the Application are adequate. It is critical that rules for ensuring ongoing compliance, including remedies for poor performance, are put into place as part of granting any Section 271 relief. In order to accomplish the intended purpose, the payments owed for failure to meet the performance standards must be sufficiently high as to be meaningful, and not simply viewed as a cost of doing business.

I. BELLSOUTH'S OPERATIONAL SUPPORT SYSTEM ("OSS")

BellSouth's OSS is largely mechanized and has seen steady improvement over time. At this time, mechanized ordering appears to be working satisfactorily. BTI's experience suggests that, for the most part, orders to BellSouth flow through with a minimum of manual intervention. BellSouth's ability to handle orders that require manual intervention has also seen steady improvement. While a fully mechanized OSS is a desirable goal, BellSouth's mixed system appears capable of handling orders in commercially meaningful numbers.

Importantly, BellSouth's OSS system includes knowledgeable people and automatic prompts which greatly assist in those circumstances in which problems arise in ordering and provisioning. No one can reasonably expect a flawless system, but it is clear that BellSouth has paid substantial attention to developing both its OSS system and the personnel operating the system.

II. BELLSOUTH'S PERFORMANCE IS REASONABLE AND CONTINUES TO IMPROVE

As indicated, no system is perfect, nor should it be expected to be. In reviewing key areas of performance, however, BellSouth, to a great extent, meets measurable performance expectations and has committed itself to continuing to improve its performance on an ongoing basis. While any network business provides countless opportunities for problems, BellSouth appears to be making a genuine effort to perform in a commercially reasonable manner. That is not to say that there is not room for improvement. There is and always will be. On occasion, BTI believes that retail customers of BellSouth obtain better delivery times for provisioning than available to BTI. To the extent this practice were widespread, it would impede competition. The bottom line for BTI is that, for the most part, BellSouth's provisioning and repair services allow BTI to compete for local service in Georgia.

Given the complexity of network businesses, BTI believes that the ongoing monitoring of BellSouth's performance, through the use of state and FCC performance metrics, provides a degree of comfort that BellSouth's performance will continue to improve. BTI believes, however, that to ensure the continued viability of local competition, it is essential that performance metrics include self-executing penalties of meaningful size and that those penalties accrue to the benefit of competitors. The metrics should be clear so that all parties are in a position to meaningfully judge BellSouth's adherence to those standards. BellSouth should be required to make its performance metrics results public so that CLECs can determine whether their experience with BellSouth is consistent with the performance BellSouth affords other CLECs. BellSouth should also be required to publish information measuring its service to its own affiliates so that CLECs can also compare this treatment against BellSouth's treatment of its

own affiliates. Given the importance of accurate reporting and comparison of performance metrics, it is essential that that data be readily available.

III. BELLSOUTH'S PROBLEM RESOLUTION EFFORTS

In the past year, BTI has been encouraged by BellSouth's willingness to participate in state commission-sponsored informal resolution procedures. BTI has found these procedures to be helpful in resolving issues as they arise. BellSouth currently has in place an escalation process that is intended to permit problems to be resolved at a variety of levels. On occasion, BTI believes that there is inadequate communication at certain of the resolution levels and, too often, the response is simply denied without adequate explanation. In addition, BellSouth has an assigned Account Team for BTI. BTI has found the primary Account Team to be responsive and helpful in addressing operational issues as they arise. BellSouth, however, should consider providing better coverage when primary Account Team members are not available because of vacation, sickness, training, etc.

IV. CONCLUSION

For the foregoing reasons, BTI supports BellSouth's Application for Provision of In-Region InterLATA Services in Georgia and Louisiana.

BTI TELECOM CORP.

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